

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

DAKOTA ENERGY COOPERATIVE, INC.,  Plaintiff / Counter-Claim Defendant,  vs.  EAST RIVER ELECTRIC POWER COOPERATIVE, INC.,  Defendant / Counter-Claim Plaintiff / Cross-Claim Defendant,  vs.  BASIN ELECTRIC POWER COOPERATIVE,  Intervenor-Defendant / Counter-Claim Plaintiff / Cross-Claim Plaintiff	4:20-CV-4192-LLP  JUDGMENT
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In accordance with the Memorandum Opinion and Order granting the motions for summary judgment filed by East River Electric Power Cooperative, Inc. ("East River) and Basin Electric Power Cooperative ("Basin Electric"),

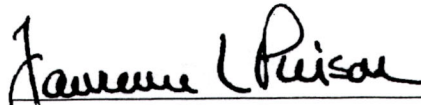
**IT IS ORDERED, ADJUDGED and DECREED** that judgment is entered in favor of East River and Basin Electric, and against Plaintiff, Dakota Energy Cooperative, Inc. ("Dakota Energy").

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that a declaratory judgment is granted in favor of East River on its claims that its Wholesale Power Contract ("WPC") with Dakota Energy does not allow for early termination, and that the East River Bylaws do not permit Dakota Energy to withdraw before fulfilling its obligations under the WPC.

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that a declaratory judgment is granted in favor of Basin Electric on its claims that the WPC between East River and Dakota Energy does not allow for Dakota Energy to terminate or withdraw from the WPC prior to December 31, 2075, and that Basin has no obligation to provide a buyout number to East River to provide to Dakota Energy to allow an early termination of Dakota Energy's WPC with East River.

Dated this 11th day of April, 2022.

BY THE COURT:

  
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Lawrence L. Piersol

United States District Judge

ATTEST:

MATTHEW W. THELEN, CLERK

  
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